

IN THE SPECIAL COURT OF EMINENT DOMAIN
DESOTO COUNTY, MISSISSIPPI

MISSISSIPPI TRANSPORTATION COMMISSION

PLAINTIFF

VS

CIVIL ACTION NO. CO2012-1603CD

AMSDELL STORAGE VENTURE VII, LLC

DEFENDANT

AGREED JUDGMENT

In this case the claim of the Mississippi Transportation Commission to have condemned certain lands named in the Complaint and described in Exhibit "A" attached hereto and incorporated herein was presented to the Court. Amsdell Storage Venture VII, LLC is the owner in fee simple of the subject property.

The Court is informed that the parties hereto, being all parties with an interest in the land or the proceeds from this acquisition by the Mississippi Transportation Commission, have agreed to entry of this Agreed Judgment as evidenced by their signature or their attorney's signature affixed hereto.

On Motion *Ora Tenus* of Plaintiff, the Court finds the total compensation and damages of Defendant Amsdell Storage Venture VII, LLC to be the sum of \$200,00. No interest shall be payable under this Agreement Judgment.

Except for Citigroup Global Markets Realty Corporation, its successors or assigns, no other mortgagee, trustee or any other person or entity has any interest in the subject property or lien thereon.

✓ **FILED**
DESOTO COUNTY, MISSISSIPPI

DEC 17 2012

DALE K. THOMPSON, CIRCUIT CLERK

BOOK 2012 ENTRY 14120

H. Raney

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This Agreed Judgment has the same force and effect as if fully tried to a jury and is rendered pursuant to Section 11-27-25, Mississippi Code of 1972, Annotated.

The Mississippi Transportation Commission has agreed to pay into Court and \$200.00 pursuant to this Agreed Judgment. By virtue of payment of the said amount and this Agreed Judgment, the Temporary Easement described on Exhibit "A" shall be and is hereby vested in Plaintiff and it may be appropriated to the public use as prayed for in the Complaint.

Upon receipt of \$200.00 from the Mississippi Transportation Commission, the Circuit Clerk is directed to pay to Amsdell Storage Venture VII, LLC \$200.00 as payment in full pursuant to this Agreed Judgment.

NOW THEREFORE, ownership of the said property is hereby vested in Plaintiff and may be appropriated to the public use as prayed for in the Complaint.

Let the Plaintiff pay the costs, for which execution may issue.

ORDERED AND ADJUDGED, this the 17th day of December, 2012.

Allen B. Smith
JUDGE OF SPECIAL COURT OF EMINENT DOMAIN

APPROVED AS TO FORM AND ENTRY:


Hollaman M. Raney
Hollaman M. Raney (MSB# 4628)
Attorney for Petitioner,
Mississippi Transportation Commission
Hollaman Raney, P. C.
P. O. Box 1480
Oxford, MS 38655
(662) 236-4901

STATE OF MISS., DESOTO COUNTY
CERTIFIED A TRUE COPY

DEC 17 2012

DALE K. THOMPSON, CIRCUIT CLERK
BY L. Burns D.C.




 Todd C. Amsdell, Manager
 Amsdell Storage Venture VII, LLC
 20445 Emerald Parkway Dr. SW
 Suite 220
 Cleveland, OH 44135

US Bank National Association, as trustee for
 the registered holders of Citigroup Commercial
 Mortgage Securities Inc., Commercial Mortgage
 Pass-Through Certificates, Series 2012-GC8, as
 Successor-in-interest to Citigroup Global Markets
 Realty Corporation

By: Wells Fargo Bank National Association,
 solely in its capacity as Master Servicer pursuant
 to that certain Pooling and Servicing Agreement
 dated as of September 1, 2012

~~CITIGROUP GLOBAL MARKETS REALTY CORPORATION~~

By: 

Title: AVP

Address: 550 S. TRYON - 14th Floor, Charlotte, NC 28202

Phone: 704-410-7296

017-001-T

IN THE SPECIAL COURT OF EMINENT DOMAIN
DESOTO COUNTY, MISSISSIPPI

MISSISSIPPI TRANSPORTATION COMMISSION

PLAINTIFF

VS.

CIVIL ACTION NO. 002012-1603CD

AMSDOLL STORAGE VENTURES VII, LLC

DEFENDANT

EXHIBIT "A"

INDEXING INSTRUCTIONS:

SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP
2 SOUTH, RANGE 8 WEST, IN THE CITY OF
HERNANDO, DESOTO COUNTY, MISSISSIPPI

The following description is based on the Mississippi State Plane Coordinate System, West Zone (2302), NAD 83 (93) grid values, U.S. Survey Feet, using a combined scale factor of 0.999961590 and a convergence angle of plus (+) 00 degrees 11 minutes 31 seconds as developed by the Mississippi Department of Transportation for Project No. HSIP-2920-00(008) [104911/201000]. It is the intent of this description to convey an easement of use, over, on and across a parcel of land to be used for the purpose of highway construction, said easement being temporary in nature, the use of which is not to extend beyond the completion of the construction of the above mentioned proposed highway project.

A parcel of land situated in the Southeast Quarter of Section 24, Township 2 South, Range 8 West, in the City of Hernando, Desoto County, Mississippi, having an area of 136.0 square feet (0.003 acre), and being more particularly described as follows:

Beginning at a point on the existing east right-of-way line of U. S. Highway No. 51, said point being 60.00 feet left of (easterly of and perpendicular to) the centerline of said Highway 51 at station 394+51 of the above referenced project, said point lies South 40 Degrees 24 Minutes 04 Seconds East a distance of 5070.02 feet from a found PK nail accepted as being located at the Northwest corner of Section 24, Township 2 South, Range 8 West, Desoto County, Mississippi, said PK nail being defined as N 1966277.501 E 2394293.294 on the above referenced coordinate system;

Run thence along the proposed temporary construction easement line for the above referenced project North 86 Degrees 55 Minutes 23 Seconds East a distance of 4.00 feet to a point that is 64.00 feet left of (easterly of and perpendicular to) said centerline at station 394+51 of the above referenced project;

Thence continuing along said proposed temporary construction easement line South 03 Degrees 04 Minutes 36 Seconds East a distance of 34.00 feet to a point that is 64.00 feet left of (easterly of and perpendicular to) said centerline at station 394+85 of the above referenced project;

Thence continuing along said proposed temporary construction easement line South 86 Degrees 55 Minutes 24 Seconds West a distance of 4.00 feet to a point on said existing right-of-way line, said point being 60.00 feet left of (easterly of and perpendicular to) said centerline at station 394+85 of the above referenced project;

Thence leaving said temporary construction easement line and along said existing right-of-way line North 03 Degrees 04 Minutes 36 Seconds West a distance of 34.00 feet which is the Point of Beginning.

All of the above excepting and excluding therefrom all oil and gas and other minerals which may be produced through a well bore.